

## DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **VIBRATORY COMPACTOR AND COMPACT EXCITER ASSEMBLY USABLE THEREWITH**, which is described and claimed in

the attached specification.

the specification in application \_\_\_\_\_, filed on \_\_\_\_\_  
and amended on \_\_\_\_\_ (if applicable).

international (PCT) application No. \_\_\_\_\_, filed on \_\_\_\_\_  
and as amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is known to be material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application(s)                                | Priority Claimed   |
|---|--|
| _____ (Number) _____ (Country) _____ (Day/Month/Year Filed) | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| _____ (Number) _____ (Country) _____ (Day/Month/Year Filed) | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| _____ (Number) _____ (Country) _____ (Day/Month/Year Filed) | <input type="checkbox"/> Yes <input type="checkbox"/> No |

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is known to be material to the patentability of this application as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT International filing date of this application.

| (Application Number)       | (Filing Date)       | (Status - Patented, Pending, Abandoned)       |
|----------------------------|---------------------|---|
| _____ (Application Number) | _____ (Filing Date) | _____ (Status - Patented, Pending, Abandoned) |

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: James F. Boyle, Reg. No. 33,653; Timothy E. Newholm, Reg. No. 34,400; David D. Stein, Reg. No. 40,828; Michael J. Gratz, Reg. No. 39,693; Matthew M. Eslami, Reg. No. 45,488.

Address all telephone calls to Timothy E. Newholm at telephone number (414) 225-9755, facsimile number (414) 225-9753.

Address all correspondence to: Timothy E. Newholm  
BOYLE, FREDRICKSON, NEWHOLM, STEIN & GRATZ, S.C.  
250 Plaza, Suite 1030  
250 East Wisconsin Avenue  
Milwaukee, Wisconsin 53202

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor (given name, family name): Daniel GEIER

Inventor's signature: Daniel Geier Date: 11-10-00  
Residence: Colgate, Wisconsin Citizenship: USA  
Post Office Address: N95 W25878 Riverview Drive  
Colgate, Wisconsin 53017

*(signatures continue)*

Title: VIBRATORY COMPACTOR AND COMPACT EXCITER ASSEMBLY USABLE THEREWITH

Inventors: Daniel Geier, Ronald Brinkmann, and Jay Baudhuin

Full name of second joint inventor, if any (given name, family name): Ronald BRINKMANN

Inventor's signature: Ronald Brinkmann Date: 11/10/00  
Residence: Hartford, Wisconsin Citizenship: USA  
Post Office Address: 6971 Meadowdale Drive  
Hartford, Wisconsin 53027

Full name of third Joint inventor, if any (given name, family name): Jay BAUDHUIN

Inventor's signature: Jay A Baud Date: 11/10/00  
Residence: Mayville, Wisconsin Citizenship: USA  
Post Office Address: 715 Emmer Street  
Mayville, Wisconsin 53050



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
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Washington, D.C. 20231

FEBRUARY 06, 2001

PTAS

BOYLE, FREDRICKSON ZIOLKOWSKI S.C.  
TIMOTHY E. NEWHOLM  
250 EAST WISCONSIN AVENUE  
SUITE 1030  
MILWAUKEE, WI 53202



\*101539946A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
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RECORDATION DATE: 11/15/2000

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NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

GEIER, DANIEL

DOC DATE: 11/10/2000

ASSIGNOR:

BRINKMAN, RONALD

DOC DATE: 11/10/2000

ASSIGNOR:

BAUDHUIN, JAY

DOC DATE: 11/10/2000

ASSIGNEE:

WACKER CORPORATION  
N92 W15000 ANTHONY AVENUE  
MENOMONEE FALLS, WISCONSIN

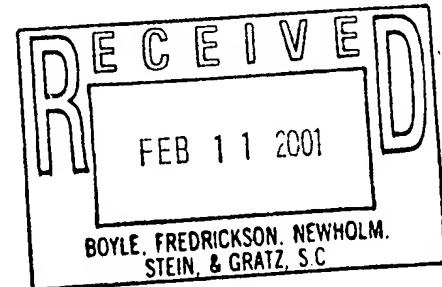
53052-9007

SERIAL NUMBER: 09713659

FILING DATE:

PATENT NUMBER:

ISSUE DATE:



DIANE RUSSELE, PARALEGAL  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

12-05-2000

U.S. Department of Commerce

Patent and Trademark Office

PATENT

Attorney Docket

7.035

11/15/00



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| Name (line 1) Daniel   |  | Execution Date<br>Month Day Year   |  |
| Name (line 2) Geier  |  | November 10, 2000  |  |
| <i>Second Party</i>  |  | Execution Date   |  |
| Name (line 1) Ronald   |  | Month Date Year  |  |
| Name (line 2) Brinkmann  |  | November 10, 2000  |  |
| <i>Second Party</i>  |  | Execution Date   |  |
| Name (line 1) Jay  |  | Month Date Year  |  |
| Name (line 2) Baudhuin   |  | November 10, 2000  |  |
| Receiving Party  |  | ( )Mark if additional names of receiving parties attached  |  |
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| Name (line 2)  |  |  |  |
| Address (line 1) N92 W15000 Anthony Avenue                                     |  |  |  |
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Mail documents to be recorded with required cover sheet(s) information to:  
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

Correspondent Name and Address      Area Code and Telephone Number 414.225.9755

Name Timothy E. Newholm

Address (line 1) Boyle Fredrickson Ziolkowski S.C.

Address (line 2) 250 East Wisconsin Avenue, Suite 1030

Address (line 3) Milwaukee, WI 53202

Address (line 4)

Pages      Enter the total number of pages of the attached conveyance document  
including any attachments.

# 4

Application Number(s) or Patent Number(s)       Mark if additional numbers attached

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Patent Application Number(s)

Patent Number(s)

If this document is being filed together with a new Patent Application, enter the date the patent application was signed by the first named executing inventor.

Month Day Year  
November 9, 2000

#### Patent Cooperation Treat (PCT)

Enter PCT application number  
only if a U.S. Application Number  
has not been assigned.

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Number of Properties      Enter the total number of properties involved. # 1

Fee Amount      Fee Amount for Properties Listed (37 CFR 3.41): \$ 40.00

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Enclosed (X)

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Deposit Account

(Enter for payment by deposit account or if additional fees can be charged to the account.)

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# 50-1170

Authorization to charge additional fees: Yes ( X )      No ( )

#### Statement and Signature

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.*

Timothy E. Newholm

T ~ G  
Signature

November 15, 2000

Date

## ASSIGNMENT

WHEREAS, we, Daniel Geier, Ronald Brinkmann, and Jay Baudhuin, have made a certain new and useful invention for which we are about to make application for Letters Patent of the United States, which application may be identified in the United States Patent Office as Serial No. \_\_\_\_\_, filed \_\_\_\_\_ and entitled:

## VIBRATORY COMPACTOR AND COMPACT EXCITER ASSEMBLY USABLE THEREWITH

(Executed: 11-10-2000)

WHEREAS, Wacker Corporation, a corporation organized and existing under and by virtue of the laws of the State of Wisconsin and having its principal place of business in Menomonee Falls, Wisconsin, is desirous of acquiring the entire interest in and to said invention, said application and the Letters Patent to be obtained therefore, is desirous of acquiring the entire interest in and to said invention, said application and the Letters Patent to be obtained therefore;

NOW, THEREFORE, for and in consideration of One Dollar and other good and valuable consideration to us in hand paid, the receipt and sufficiency whereof are hereby acknowledged, we have sold, assigned, and set over and by these presents do hereby sell, assign, and set over unto the said Wacker Corporation, and said assignee's legal representative, successors and assigns, the entire right, title and interest in and to any and all applications including the aforesaid application, for Letters Patent heretofore and hereafter filed in the United States or any other country and which may be based in whole or in part on said inventions and discoveries, and in and to any and all Letters Patent heretofore or hereafter granted by the United States or any other country and which may be based in whole or in part on said inventions and discoveries, said assignment including the right to file and prosecute any and all such applications and also including the right to sue and recover for any and all such applications and also including the right to sue and recover for any and all infringements of said patents; and request the Commissioner of Patents to issue said Letters Patent to the above-mentioned assignee agreeably with the terms of this assignment.

WE HEREBY AUTHORIZE the law firm of Boyle, Fredrickson, Newholm, Stein & Gratz, S.C. the power to insert in this instrument any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent Office for recordation of this document.

UPON SAID CONSIDERATION, we do hereby covenant for ourselves and our heirs, legal representatives and assigns that neither we nor any of our said heirs, legal representatives or assigns have or will execute any instrument or perform any act in conflict herewith and that we or our said heirs, legal representatives and assigns will at all times do such acts and execute such papers, without expense to ourselves, as may be necessary or desirable in order to fully protect said inventions and discoveries for the benefit of said assignee, its successors or assigns, and to otherwise carry into full force and effect the text and interest of this assignment.

IN WITNESS WHEREOF, we have hereunto set our hands and affixed our seals.

Date: 11-10-00



(SEAL)

Daniel Geier

STATE OF WISCONSIN      )  
Waukesha COUNTY      ) ss.  
 )

On this 10th day of November, 2000, before me, a notary public in and for said county, appeared Daniel Geier who is personally known to me to be the same person whose name is subscribed to the foregoing instrument, and he acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act for the uses and purposes therein set forth.

 (SEAL)  
 Notary Public, State of Wisconsin  
 My Commission: 7/27/2004

Title: VIBRATORY COMPACTOR AND COMPACT EXCITER ASSEMBLY USABLE THEREWITH

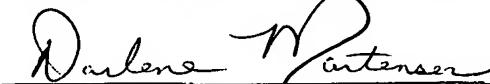
Inventors: Daniel Geier, Ronald Brinkmann, and Jay Baudhuin

Date: 11/10/00

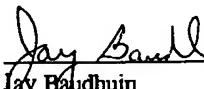
  
Ronald Brinkmann (SEAL)

STATE OF WISCONSIN )  
Waukesha COUNTY ) ss.

On this 10th day of November, 2000, before me, a notary public in and for said county, appeared Ronald Brinkmann who is personally known to me to be the same person whose name is subscribed to the foregoing instrument, and he acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act for the uses and purposes therein set forth.

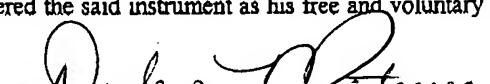
  
Darlene M. Pinteson (SEAL)  
Notary Public, State of Wisconsin  
My Commission: 7/27/2004

Date: 11/10/00

  
Jay Baudhuin (SEAL)

STATE OF WISCONSIN )  
Waukesha COUNTY ) ss.

On this 10th day of November, 2000, before me, a notary public in and for said county, appeared Jay Baudhuin who is personally known to me to be the same person whose name is subscribed to the foregoing instrument, and he acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act for the uses and purposes therein set forth.

  
Darlene M. Pinteson (SEAL)  
Notary Public, State of Wisconsin  
My Commission: 7/27/2004

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